

WILDLIFE AND BOAT COMMITTEE MEETING MINUTES
4016 WEST BROAD STREET
RICHMOND, VIRGINIA
March 17, 2008
1:00 pm

Present: John W. Montgomery, Jr., Committee Chairman and Charles Yates; **Absent:** Ward Burton; **Director:** Robert W. Duncan; **Staff:** Colonel Dabney “Dee” Watts, Gary Martel, Rick Busch, Becky Gwynn, David Whitehurst, Ray Fernald, Bob Ellis, John Allen, Charlie Sledd, Phil Smith, James Husband.

Mr. Montgomery welcomed everyone and called the meeting to order at 1:06 pm. Mr. Montgomery also welcomed the guest present today: Ms. Linda Jasper, President, Wildlife Rescue League and Ms. Erika Yery, Alexandria Wildlife Rehabber. Mr. David Whitehurst introduced Mr. James E. Husband, Fish and Wildlife Information Services Manager.

Committee Charter Revisions

Mr. Charlie Sledd presented the draft language to amend the Wildlife and Boat Committee charter so that it also reflects the proposed change to the Board Governance Manual regarding the purpose of the Committee. These changes are being done so that the Wildlife and Boat Committee will also serve as the Motorboat Committee pursuant to § 29.1-701 of the Code of Virginia.

The current charter states:

The Wildlife and Boat Committee is to evaluate the long-term needs of the Commonwealth’s wildlife and boating resources to draft recommendations and/or policies addressing those needs for consideration by the entire Board. This Committee will also assess the needs, desires, and impacts of the users of these resources and provide guidance to the full Board as described above.

Recommended Change:

The purpose for the Wildlife and Boat Committee is to evaluate the long-term needs of the Commonwealth’s wildlife and boating resources and to draft recommendations and/or policies addressing those need for consideration by the entire Board ***and to serve as the Motorboat Committee in accordance with § 29.1-701 of the Code of Virginia.*** This committee will also assess the needs, desires, and impacts of the users of these resources and provide guidance to the full Board as described above.

Mr. Sledd also presented the recommended change in the **Composition Section** of the Charter:

The charter currently states:

The Committee members shall be appointed by the Chairman of the Board Game and Inland Fisheries with each member to serve a term as determined by the Board Chair at the time of the Committee appointment. A quorum of the Committee shall consist of a majority of the members.

Recommended Change:

The Committee *shall be comprised of three (3) members of the Board of Game and Inland Fisheries. Committee* members shall be appointed by the Chairman of the Board with each member to serve a term as determined by the Board Chair at the time of the Committee appointment. A quorum of the Committee shall consist of a majority of the members.

In addition to these charter changes, Mr. Sledd stated that for clarification in the **Meeting Section** of the Charter the following change is needed:

The charter currently states:

The Committee is to meet at least four (4) times each year, with additional meetings as deemed necessary by the Committee. The Chair may request the Director to have Department staff members be present at meetings of the Committee to provide information and/or expertise regarding the business matters, issues, and discussion topics of the Committee.

Recommended Changes:

The Committee is to meet at least four (4) times each *fiscal* year, with additional meetings as deemed necessary by the Committee. The Chair may request the Director to have Department staff members be present at the meetings of the Committee to provide information and/or expertise regarding the business matters, issues, and discussion topics of the Committee.

After a brief discussion on the changes, Mr. Yates made the motion to present the proposed changes to the committee charter to the full Board as recommended by the staff during the committee reports during the April Board Meeting.

Update on Wildlife Related Legislation and Recommendations for possible follow-up

The Director, Mr. Bob Duncan, gave the following presentation:

During the 2008 General Assembly, the agency had an active lead on 22 bills and of those 11 bills passed. Of the 11 bills that passed, 9 have been signed by the Governor; HJ231 was adopted by both houses. Mr. Duncan reported that as of this meeting SB765 was still waiting for the Governor's signature (SB765 was signed on March 18, 2008).

HB114 – Trap identification; permits hunters to attach an identification number to traps. The agency will need to develop the identification numbering system.

HB115 – Submerged traps; licensed trappers allowed to visit every 72 hours. This legislation gives the Board the authority to establish regulations for trap checking intervals.

HB319 Fishing permit, special; issued to patients from veterans or military hospitals. The agency will need to integrate new provisions into permit issuance.

HB886 Bear hound training season. This allows for new chase season hours to be listed in the digest.

HB1016 Killing of deer over bait; local authority. This legislation allows certain counties the authority to use bait for deer control purposes. The effected counties will be notified of change.

HB1175 and SB617 Apprentice Hunting License. This legislation established an apprentice hunting license that will be valid for 2 years from the date of purchase. The apprentice hunter must be under the direct supervision of a licensed hunter. The cost to Virginia residents is \$10.00 and a non-resident is \$20.00. **The agency will need to develop the apprentice hunting license for sale on July 1, 2008.**

HB1482 Bears; non-lethal control measures. This provides for the option of non-lethal bear damage instead of a kill permit. The wildlife and law enforcement divisions will be informed of the new provision.

HJ231 Game and Inland Fisheries, Board of; Board and Department to provide for citizen input in regulations. The agency has to submit a report on the progress. Mr. Duncan asked the committee to recommend to the full Board at the April meeting that the regulation cycle be changed to have the wildlife regulations on the odd years and all other regulations on the even years. Mr. Duncan has worked with the Attorney General's office and Mr. Phil Smith on the process for changing the regulation process. A draft process is being prepared for distribution.

SB552 Fishing licenses; exemptions for persons assisting disabled person. This allows for persons assisting disabled person exemption from purchasing a fishing license. This information will be included in the fish digest.

SB765 Water safety enforcement. This legislation provides the Agency more flexibility in the scheduling of boating law enforcement on Smith Mountain Lake.

Update on Proposed Boating Safety Education Regulations

Mr. Charlie Sledd indicated that the public comment period on the proposed boating education regulations has closed and that about 100 comments were received. They will be included in the Board packages to be mailed for the April Meeting. A number of changes, based on the public comments, have been incorporated into the final regulation for adoption by the Board during the April Meeting.

Update on Proposed Wildlife Regulations

Mr. Bob Ellis of the Wildlife Division provided an update on the muzzleloader regulation and the Northumberland County issue. A recommendation will be made at the April Board meeting to propose the muzzleloader regulation with a final action during the June Meeting.

Update on Hunting with Hounds Study

Mr. Busch stated that 16 focus group meetings were held during the months of November and December for the purposes of hearing public comment and trying to identify their concerns. An

advisory group has been formed and had their first meeting on March 4, 2008. The next meeting is on April 15, 2008. A report from the group should be ready by October.

Coursey Springs Hatchery Renovation Update

Mr. Martel reported that the engineering and design study has been completed for the hatchery. A full report will be ready at the April Board Meeting.

Climate Change and Wildlife Impacts – The Governor’s Commission on Climate Change

Mr. David Whitehurst gave the following presentation:

The Governor’s Commission was established in December 2007. The goal is to prepare a plan identifying ways to reduce greenhouse gas emissions. The Commission is chaired by Secretary of Natural Resources Preston Bryant. A report is to be issued by December 15, 2008.

The intermediate steps are to inventory greenhouse gas emissions (through 2025); to evaluate expected impacts of climate change on citizens, natural resources and economy; to identify approaches of others and what needs to be done in Virginia and to identify actions beyond the Virginia Energy Plan needed to reach 30% reduction in greenhouse gasses.

The Commission Membership is comprised of Secretary Bryant, Chairman and 39 additional members (legislators, industry and conservation leaders, community leaders and scientists) and is supported by a “Kitchen Cabinet” of senior agency personnel under leadership of Deputy Secretary Nikki Rover.

The approach of the commission is to hold eight meetings beginning February 1, 2008; conduct information gathering during the first five meetings; cost benefit analyses during meeting 6; develop and evaluate recommendations during the 6th and 7th meetings, and review the draft report at the 8th meeting.

The meetings that will address wildlife, natural resources, and outdoor recreational impacts are scheduled for April 22, May 13 and June 17.

Some examples of potential Virginia issues are increased intrusion of saltwater into freshwater systems; loss of vernal ponds critical to a number of rare salamander species; loss of productive waterfowl wetlands; loss of high-elevation spruce-fir forests and associated species assemblages; loss of quality trout fishing opportunities; and extirpation of species for which Virginia is at the southern edge of range (e. g. wood turtle).

Mr. David Whitehurst is providing DGIF support on the “Kitchen Cabinet”. A climate change working group with representation from Wildlife, Fisheries, and Wildlife Diversity, has been formed to integrate information about impacts to wildlife, habitats and associated recreational opportunities into the Commission’s work in to the Wildlife Action Plan and other species management plans within the Department.

Specific workgroup tasks are: identify species and habitats affected by climate change; characterize the response; identify/characterize climate change impacts to hunting, fishing, boating, wildlife watching, and related outdoor recreation/tourism; identify impacts of alternative energy solutions on wildlife/habitats; identify and characterize potential internal policy and operational changes for DGIF that would ameliorate

influences of climate change and identify steps needed to ensure that the network of public and private conservation lands in Virginia will conserve the biodiversity of the state.

Complementary activities include a cooperative project with the National Wildlife Federation to incorporate climate change impacts into the Virginia Wildlife Action Plan and national efforts to address impacts of climate change to wildlife in pending climate change legislation (e.g. Lieberman-Warner “America’s Climate Security Act of 2007).

Update on Federal Funding Opportunities for Wildlife

Mr. David Whitehurst gave the following presentation on the President’s Budget Request, noted the large-scale decline in support for state and local programs, and acknowledged the strong support for the State Wildlife Grants Program within this environment of declining support for technical and financial assistance at the state level.

The highlights of the President’s FFY09 Budget Request – Wildlife-Related are

- US Fish & Wildlife Service request: -\$13.7 million in operations; -\$64 million overall
- US Forest Service request:
 - Forest Legacy Program reduced by 76%
 - Forest Stewardship reduced by 83%
 - Urban & Community Forestry reduced by 82%
 - Fire suppression increased by 18%
 - National Forest System funding down by 9%
 - Wildlife & Fish Management down by 11%
 - Recreation, Wilderness, and Heritage down by 10%
- Natural Resources Conservation Service request:
 - Decreased funding for watershed rehabilitation program and conservation technical assistance
 - Eliminates funding for watershed surveys and planning; resource conservation & development; flood prevention (PL-534); watershed operations (PL-566)
 - Increased funding for EQIP & CRP; no funding for WHIP (will be considered in the new Farm Bill)
- National Park Service request: zero-out state-side Land and Water Conservation Fund

State Wildlife Grants:

- Nation’s core program for preventing wildlife from becoming endangered
- Supporting implementation of state Wildlife Action Plans
- Annual appropriation (non permanent trust)

\$547.9 million nationally (FFY01-FFY08)
\$9.8 million to Virginia (FFY01-FFY08)

- FFY 09: \$73.8 million proposed by President

Teaming with Wildlife Coalition:

- Teaming With Wildlife Coalition advocating for \$85 million for FFY09 for the State Wildlife Grants Program
- Coalition of over 5,000 organizations & agencies supporting increased funding for wildlife conservation (100+ in Virginia)
- Annual February “Fly-In”;
Share information about State Wildlife Grants work at state level; state Wildlife Action Plans. Mr. Whitehurst and constituents met with all 13 Congressional Offices

“Dear Colleague” sign-on letters for \$85 million supported by Warner, Webb, Boucher, Scott, Wittman, Davis, Moran

Teaming With Wildlife Act of 2008

- S. 2670, introduced by Senator T. Johnson, SD
- Provides \$350 million annually for wildlife conservation, wildlife education, and wildlife associated recreation
- Five-year dedicated funding stream
Wildlife Conservation & Restoration Account of Pittman – Robertson Wildlife Restoration Act

Supports broad implementation of state Wildlife Action Plan

Sources: outer continental shelf and mining revenues
- \$7.5 mill/year to DGIF

Wildlife & Climate Change

- America’s Climate Security Act (S.2191)
- Co-sponsored by Senators Lieberman and Warner
- Funding to evaluate the impacts of global climate change on wildlife and habitats through auction of emissions credits
- Funding stream through Wildlife Conservation and Restoration Account; 90:10 match

- \$9.3 billion/year nationally for wildlife; \$60+ million/year for Virginia

At the conclusion of this presentation, the Chairman called for a 5 minute break.

Report on emerging Bat Disease in the Northeast

Mr. David Whitehurst and Ray Fernald gave a brief presentation on the White-nose Syndrome (WNS). This was first noted at 4 caves in New York in 2007. Follow-up surveys at 2 of the originally affected NY caves revealed cumulative bat mortality in 2007-2008 of over 90%. Preliminary evidence indicates no WNS in Virginia.

The potential consequences are: the spreading of WNS throughout the East; the spreading of WNS from “cave bats” to “tree bats”; as the major predator of nocturnal flying insects, loss of significant bat populations in the East could have far-reaching consequences for human health, agriculture, and natural ecosystems.

The USFWS (NE Region) is the clearinghouse for information on WNS, with a web page dedicated to this issue (www.fws.gov/northeast/white_nose.html). This Web page provides guidelines for decontaminating “bat gear”, and measures to take if an affected bat is observed. NY, VT and NJ have advised all individuals to stay out of caves with bats and other states are considering instituting cave closures.

WNS issues and action for Virginia include:

Cave Closures:

Issues:

Winter: DGIF has always promoted winter closure of hibernacula.

Action: Reinforce through media and the caving community.

Summer: Bats typically not present.

Action: Maintain cave closures on T & E caves and major hibernacula (over 500 individuals) until the issue is better understood.

Handling Bats:

Issue: Bat surveys and research projects conducted in VA using “out-of-state” gear.

Actions:

- Do not allow gear used in affected states (NY, VT, MA) to be used in VA, regardless of decontamination efforts.
- Require decontamination of equipment when moving gear from project to project (in-state).
- Provide assistance to contractors and researchers by lending them state-owned equipment.

Public Education

Issue: Ensure awareness of WNS among academic and recreational cavers

Actions:

- These groups are aware of WNS; VDGIF and VDCR are in contact with primary cave groups.
- Post WNS-related information and guidance on VDGIF web site and other “caving” sites.
- Enlist support of recreational cavers in avoidance of hibernacula.
- Provide media with appropriate information and contacts.

Additional Comments: The Chairman asked about the status of the unplugged shot gun shells as far as injuries. The staff stated there have been no reported injuries.

The Chairman also reminded staff to prepare an update on the Mallard Release status at the next committee meeting.

Mr. Yates would like to see a status update on the quail recovery and Sunday hunting on the next meeting agenda.

The audience has several questions regarding the White-nose syndrome presentation.

The Chairman thanked everyone for their participation.

The Director announced the dedication of Merrimac Farms on April 10, 2008 at 10:00am.

Next meeting date: The next meeting date is to be announced

Approval of Minutes: The committee approved the minutes of the March 12, 2007 meeting as presented and also approved the October 1, 2007 minutes as presented.

The meeting was adjourned at 2:54 p.m.

Respectfully submitted,

Beth B. Drewery
Board Secretary